

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, JULY 10, 2006 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ITEM-1: ROLL CALL.

ITEM-10: INVOCATION.

ITEM-20: PLEDGE OF ALLEGIANCE.

NON-AGENDA PUBLIC COMMENT

Non-agenda public comment is taken on Tuesday pursuant to the San Diego Municipal Code Section 22.0101.5.

COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY COMMENT

REQUESTS FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Other Legislative Items

ITEM-200: Mayor’s Response to the San Diego County Grand Jury Report on Service Level Agreements, and City Council’s Review and Adoption of Mayor’s Response.

MAYOR SANDERS’ RECOMMENDATION: Adopt the resolution.

NOTE: This item was moved from the July 11, 2006 Tuesday Docket, Item 330.

ITEM-201: Second Amendment to the FY 2006 Agreement with the San Diego Unified School District (District) regarding Funding for San Diego’s “6 to 6” Extended School Day Program.

STAFF’S RECOMMENDATION: Adopt the resolution.

NOTE: This item was moved from the July 11, 2006 Tuesday Docket, Item 331.

ITEM-202: Agreement with the San Diego Unified School District (District) for Fiscal Year 2007 “6 to 6” Extended School Day Program.

STAFF’S RECOMMENDATION: Adopt the resolution.

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Monday's, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

NOTE: Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in closed session 4) Refer matters discussed to closed session.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Public Notices

- ITEM-250: Submission of Ballot Proposals
- ITEM-251: **Notice** of Pending Final Map Approval – 4841 Del Monte Avenue.
- ITEM-252: **Notice** of Pending Final Map Approval – 4135 Texas Street Condominiums.
- ITEM-253: **Notice** of Pending Final Map Approval – 3910 Haines Street Condominiums.
- ITEM-254: **Notice** of Pending Final Map Approval – 1030 Robinson Avenue Condominiums.
- ITEM-255: **Notice** of Pending Final Map Approval – 3958 Iowa Street.
- ITEM-256: **Notice** of Pending Final Map Approval – 4377 Wilson Avenue.
- ITEM-257: **Notice** of Pending Final Map Approval – 4567 Hawley Boulevard.
- ITEM-258: **Notice** of Pending Final Map Approval – 5059 Niagara Avenue Condominiums.
- ITEM-259: **Notice** of Pending Final Map Approval – Swift Park.
- ITEM-260: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement - Carmel Valley Neighborhood 10 Units 1, 2, 3, Carmel Valley.

=== **LEGISLATIVE SCHEDULE (Continued)** ===

Public Notices (Continued)

ITEM-261: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement – Fenton Carroll Canyon, Camino Santa Fe.

ITEM-262: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement – Carmel Valley Neighborhood 10 North, Carmel Valley.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-200: Mayor's Response to the San Diego County Grand Jury Report on Service Level Agreements, and City Council's Review and Adoption of Mayor's Response.

(See letter from Mayor Sanders dated 6/30/2006 and letter from City Attorney Aguirre dated 4/24/2006.)

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-1140)

Accepting and adopting each and every recommendation and finding of the Mayor's Response.

SUPPORTING INFORMATION:

After a review of all the facts alleged in the April 21, 2006, County Grand Jury's report on the Service Level Agreements, the Mayor has prepared a response. Since the report calls for a separate response from City Council, it is recommended that the City Council review the Mayor's response and either join in the response or direct the City Attorney's Office to prepare a separate response on behalf of the City Council.

Gattas

Staff: Jeff Gattas - (619) 236-6980
Catherine M. Bradley – Chief Deputy City Attorney

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

NOTE: This item was moved from the July 11, 2006 Tuesday Docket, Item 330.

ITEM-201: Second Amendment to the FY 2006 Agreement with the San Diego Unified School District (District) regarding Funding for San Diego's "6 to 6" Extended School Day Program.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-1100) Tb(CACTION Tb)

Authorizing the Mayor, or his designee, to enter into the Second Amendment to the FY 2006 Agreement between the San Diego Unified School District and the City of San Diego for the continued operation of San Diego's "6 to 6" Extended School Day Program (Program) for the period of July 1, 2005 through June 30, 2006;

Authorizing the City Auditor and Comptroller to accept \$23,123.10 in additional After School Education and Safety Program (ASESP) grant funds, and \$979,064.12 in additional 21st Century Community Learning Center (21st CCLC) grant funds, awarded to the City for the continued operation of the Program for the period of July 1, 2005 through June 30, 2006;

Authorizing the Mayor, or his designee, to enter into amendments to the FY 2006 agreements with existing "6 to 6" providers to expend the grant funds for the continued operation of the Program for the period of July 1, 2005 through June 30, 2006, contingent upon certification of funds availability by the City Auditor and Comptroller;

Authorizing the City Auditor and Comptroller to appropriate and expend the grant funds;

Authorizing the Mayor, or his designee, to distribute any unexpended ASEP and/or 21st CCLC grant funds remaining at the end of FY 2006 to "6 to 6" providers by December 31, 2006 on a pro rata basis (based on California Department of Education annual cumulative pupil attendance at each "6 to 6" school site), to be expended by the "6 to 6" providers for supplemental services at each school site.

STAFF SUPPORTING INFORMATION:

San Diego's "6 to 6" Extended School Day Program (Program) operates at a total of 132 grant-funded schools in FY 2006, which includes 126 District school sites and six faith-based school sites. Primary funding for the District school sites is from the After School Education and Safety Program (ASESP) and 21st Century Community Learning Center (21st CCLC) grant funds.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-201: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

The City administers the Program at 118 of the 126 District school sites, and thus, is entitled to a three percent administrative charge deducted from the grant to cover related costs.

The FY2006 Agreement with the District awarded the City \$11,464,324 of ASEP and \$2,300,338 of 21st CCLC grant funds. The First Amendment to that Agreement reduced the ASEP grant amount by \$19,891. The Second Amendment, which was approved by the District School Board on May 23, 2006, will increase the ASEP grant amount by \$23,123, and increase the 21st CCLC grant amount by \$979,065.

Pursuant to California Senate Bill 854 (Chapter 555, Statutes of 2005), the per-student reimbursement rate for 21st CCLC grants was increased by fifty percent (from \$3.33 to \$5.00 per student, per day, for the Before-School Component, and from \$5.00 to \$7.50 per student, per day, for the After-School Component), resulting in the \$979,064 increase in the 21st CCLC grant allocation. In addition, the new legislation allows for the same number of students to be served as those prior to the reimbursement rate increase, pursuant to California Education Code Section 8484.8(i).

This action will authorize the City to further amend the FY2006 Agreement with the District, and to amend the current agreements with the "6 to 6" providers, until June 30, 2006. Any unexpended ASEP and/or 21st CCLC grant funds remaining at the end of FY2006 will be redistributed to the "6 to 6" providers by December 31, 2006 to fund supplemental services.

FISCAL CONSIDERATIONS:

Funds to be received by the City, on a reimbursement basis, from the ASEP and 21st CCLC grant allocations.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

R-300761, dated August 8, 2005 (authorizing the City Manager to enter into the FY2006 Agreement between the District and the City).

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Not Applicable.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Not Applicable.

Linares/Martinez

Staff: Edward Prendell - (619) 533-6512
Michael D. Neumeyer - Deputy City Attorney

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

NOTE: This item was moved from the July 11, 2006 Tuesday Docket, Item 331.

ITEM-202: Agreement with the San Diego Unified School District (District) for Fiscal Year 2007.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-1099) Tb(CACTION Tb)

Authorizing the Mayor, or his designee, to enter into Agreement between the San Diego Unified School District and the City of San Diego for the operation of San Diego's "6 to 6" Extended School Day Program (Program) for the period of July 1, 2006 through February 28, 2007;

Authorizing the City Auditor and Comptroller to accept \$5,960,553.46 in After School Education and Safety Program (ASESP) grant funds, and \$1,097,338.83 in 21st Century Community Learning Center (21st CCLC) grant funds, awarded to the City for the operation of the Program for the period of July 1, 2006 through December 31, 2006;

Authorizing the City Auditor and Comptroller to accept \$131,350 in additional ASEP grant funds awarded to the City as reimbursement for the City's administrative service costs incurred in connection with the Program for the period of July 1, 2006 through February 28, 2007;

Authorizing the Mayor, or his designee, to enter into agreements with existing "6 to 6" providers to expend the grant funds for the operation of the Program for the period of July 1, 2006 through December 31, 2006, contingent upon certification of funds availability by the City Auditor and Comptroller;

Authorizing the City Auditor and Comptroller to establish an interest-bearing fund for the grant funds;

Authorizing the City Auditor and Comptroller to appropriate and expend the grant funds.

STAFF SUPPORTING INFORMATION:

San Diego's "6 to 6" Extended School Day Program (Program) will operate at a total of 132 grant-funded schools in FY 2007, which includes 126 District school sites and six faith-based school sites. Primary funding for the District school sites is from the After School Education and Safety Program (ASESP) and 21st Century Community Learning Center (21st CCLC) grant funds. The City administers the Program at 118 of the 126 District school sites.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-202: (Continued)

STAFF SUPPORTING INFORMATION: (Continued)

In FY 2007, the Program shall be transitioned from the City to the District by December 31, 2006. The City shall continue the management, administrative oversight, and operation of the Program through December 31, 2006, to allow the District sufficient time to hire administrative staff, identify facility space, and assume the day-to-day administration and related functions of the Program.

The FY 2007 Agreement with the District will award the City \$5,960,553.46 and \$1,097,338.83 in ASEP and 21st CCLC grant funds, respectively, which the City shall use to pay "6 to 6" providers for the operation of the Program at 118 of the 126 District school sites from July 1, 2006 through December 31, 2006. This Agreement will also award the City an additional \$131,350 in ASEP grant funds as reimbursement for the City's administrative service costs incurred from July 1, 2006 through February 28, 2007.

Effective January 1, 2007, the District shall be responsible for the entire management, administrative oversight, and operation of the Program at all 126 District school sites. As a result, the District shall contract with the "6 to 6" providers to operate the Program from January 1, 2007 and forward. Under the FY 2007 Agreement, the City's only responsibilities in connection with the Program from January 1, 2007 through February 28, 2007 shall be to process monthly Program and fiscal reports from December 2006, to reimburse "6 to 6" providers for expenditures incurred in December 2006, and to provide technical assistance to District staff. Transferring the Program is consistent with the FY 2007 Budget adopted by the Council (refer to attached Memorandum dated April 14, 2006).

FISCAL CONSIDERATIONS:

The City will invoice the District monthly for all expenditures incurred during the term of the Agreement. This action authorizes the City Auditor and Comptroller to establish a new interest-bearing fund to record all revenues and expenditures during the term of the Agreement.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Not applicable.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Not Applicable.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

Not Applicable.

Linares/Martinez

Staff: Edward Prendell - (619) 533-6512
Michael D. Neumeyer - Deputy City Attorney

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

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PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: SUBMISSION OF BALLOT PROPOSALS

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the November 7, 2006 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	6/16/2006	144	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	6/21/2006	139	Rules Committee review of ballot proposals
Monday	6/26/2006	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	7/10/2006	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	7/31/2006	99	Council adopts ordinances prepared by City Attorney
Friday	8/11/2006	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	8/24/2006	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4050.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-251: **Notice** of Pending Final Map Approval – 4841 Del Monte Avenue.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “4841 Del Monte Avenue” (T.M. No. 80986/PTS No. 84189), located on the west side of Del Monte Avenue between Cable Street and Sunset Cliffs Boulevard in the Ocean Beach Community Plan Area in Council District 2, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-252: Notice of Pending Final Map Approval – 4135 Texas Street Condominiums.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “4135 Texas Street Condominiums” (T.M. No. 240720/PTS No. 97489), located on the east side of Texas Street between Polk Avenue and Howard Avenue in the Greater North Park Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
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PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-253: **Notice** of Pending Final Map Approval – 3910 Haines Street Condominiums.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “3910 Haines Street Condominiums” (T.M. No. 248517/PTS No. 101328), located on the northwest corner of Haines Street and Roosevelt Street in the Pacific Beach Community Plan Area in Council District 2, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

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PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-254: **Notice** of Pending Final Map Approval – 1030 Robinson Avenue Condominiums.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “1030 Robinson Avenue Condominiums” (T.M. No. 225159/PTS No. 97161), located on the north side of Robinson Avenue between 10th Avenue and Vermont Street in the Uptown Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-255: Notice of Pending Final Map Approval – 3958 Iowa Street.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “3958 Iowa Street” (T.M. No. 200272/PTS No. 96083), located on the west side of Iowa Street between Lincoln Avenue and University Avenue in the Greater North Park Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

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PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-256: **Notice** of Pending Final Map Approval – 4377 Wilson Avenue.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “4377 Wilson Avenue” (T.M. No. 219682/PTS No. 95862), located on the east side of Wilson Avenue between El Cajon Boulevard and Meade Avenue in the Mid-City: Normal Heights Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-257: **Notice** of Pending Final Map Approval – 4567 Hawley Boulevard.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “4567 Hawley Boulevard” (T.M. No. 239283/PTS No. 98239), located on the east side of Hawley Boulevard between Madison Avenue and Monroe Avenue in the Mid-City: Normal Heights Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-258: **Notice** of Pending Final Map Approval – 5059 Niagara Avenue Condominiums.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “5059 Niagara Avenue Condominiums” (T.M. No. 86165/PTS No. 89739), located on the south side of Niagara Avenue westerly of Bacon Street in the Ocean Beach Community Plan Area in Council District 2, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

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PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-259: **Notice** of Pending Final Map Approval – Swift Park.

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “Swift Park” (T.M. No. 235850/PTS No. 96988), located on the east side of Swift Avenue between El Cajon Boulevard and Meade Avenue in the Mid-City: Normal Heights Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

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- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-260: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivision:

SUBDIVISION

COMMUNITY AREA

Carmel Valley Neighborhood 10 Units 1, 2, 3

Carmel Valley

The certification shall be recorded with the County Recorder 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director of Development Services or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-261: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivision:

SUBDIVISION

COMMUNITY AREA

Fenton Carroll Canyon

Camino Santa Fe

The certification shall be recorded with the County Recorder 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director of Development Services or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-262: **Notice** of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivision:

SUBDIVISION

COMMUNITY AREA

Carmel Valley Neighborhood 10 North

Carmel Valley

The certification shall be recorded with the County Recorder 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director of Development Services or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT